



regarding the award of costs is her contention that she was told by the Defendant's counsel that her deposition would be done at no cost to her. The Defendant has submitted correspondence to show that no mention of the responsibility for the cost of the deposition was made when the Defendant's counsel and the Plaintiff scheduled her deposition. The Plaintiff has not offered any arguments or evidence to rebut this correspondence.

Further, "[t]axation of deposition costs is authorized by [28 U.S.C.] § 1920(2)." *U.S. E.E.O.C. v. W&O, Inc.*, 213 F.3d 600, 620 (11th Cir. 2000) (citation omitted). The question of whether the cost of a deposition is taxable depends on whether the deposition was done merely to aid in preparation or investigation or if it was necessary for use in the case. *Id.* at 620-21 (citations omitted). When a party uses a deposition in support of his motion for summary judgment, that deposition is presumptively necessary for use in the case. *See id.* at 621 (citation omitted) ("A district court may tax costs 'associated with the depositions submitted by the parties in support of their summary judgment motions.'"). Here, the Plaintiff's deposition was used in support of the Defendant's motion for summary judgment, and given the nature of the claims at issue (i.e., claims for Title VII discrimination and retaliation), the Plaintiff's deposition was clearly necessary for use in this case. Thus, the cost of the Plaintiff's deposition in the amount of \$994.75 was appropriately taxed against her. Accordingly, the Plaintiff's motion for reconsideration is **DENIED**.

**SO ORDERED**, this the 2nd day of July, 2014.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT